IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE PIUS C.KURIAKOSE

MONDAY, THE 22ND OCTOBER 2007 / 30TH ASWINA 1929

WP(C).No. 30904 of 2007(D)

PETITIONER:

KARTHYAYANI, D/O.RAMAN, KALLAMBALLI,
KURUMATHOOR AMSOM, KEERIYADU DESOM,
THALIPARAMBA TALUK, KANNUR DISTRICT.

BY ADV. SRI.SUNIL NAIR PALAKKAT
SRI.K.N.ABHILASH
SMT.R.LEELA

RESPONDENTS:

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1. THE OMBUDSMAN,
FOR THE LOCAL SELF GOVERNMENT,
THIRUVANANTHAPURAM.

2. THE KURUMATHOOR GRAMA PANCHAYATH,
REPRESENTED BY ITS SECRETARY,
THALIPARAMBA, KANNUR.

3. THE PRESIDENT,
KURUMATHOOR GRAMA PANCHAYATH,
THALIPARAMBA, KANNUR.

BY G.P. SRI.MUHAMED ANZAR

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 22/10/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

PIUS C. KURIAKOSE, J.

W.P.(C) NO. 30904 of 2007

Dated this the 22nd day of October , 2007

JUDGMENT

Under challenge in this writ petition is Ext.P6 order passed by the Ombudsman on a complaint which was filed by the petitioner challenging Ext.P2 stop memo issued by the Panchayat. The grievance of the petitioner is that the Panchayat is preventing her from constructing a compound wall for her property which remains with her after she surrendered a portion to the Panchayat for a pathway.

2. I do not propose to examine the genuineness of the petitioner's grievance. It appears to me that the issue raised by the petitioner will have to be adjudicated by a competent Civil court. I dispose of this writ petition relegating the petitioner to her remedies before the Civil Court. However, I direct the Panchayat as well as the petitioner to maintain status quo as obtaining today as regards the property in question i.e. the property which is covered by Exts.P2, P3 and P4 photographs for a period of six weeks from today.

PIUS C. KURIAKOSE,

JUDGE.

dpk

dpk